

REMARKS

These Remarks and the accompanying Amendment are intended to reflect the substance of the 1/11/2005 telephone conference between Examiner Mohamed Ali and Attorney Paul Rooy. As agreed in that conference, a replacement drawing sheet 2 is herewith submitted showing evaporator 24 located on vehicle body bottom 6, and the paragraph beginning at Specification page 8 line 13 is amended to refer to such evaporator 24 location. In addition claim 1 has been amended to overcome the 35 U.S.C. § 112 rejection. Arguments are presented supporting the patentability of the claims in view of the references cited. It is hoped that the instant amendments, replacement drawing sheet, and the arguments presented below place the instant Application in condition of allowability.

The following remarks are directed to Page 2, Pars. 1, 2 of the Office Action mailed 10/18/2004:

Claim 2 has been amended to overcome the 35 U.S.C. § 112 rejection.

The following remarks are directed to Page 2, Pars. 3, 4 of the Office Action mailed 10/18/2004:

A replacement drawing sheet 2 is herewith submitted showing in Figure 4 evaporator 24 located on vehicle body bottom 6. In addition, the paragraph beginning at Specification page 8 line 13 is amended to refer to such evaporator 24 location.

The following remarks are directed to Page 3, Par. 2 – Page 6 Par. 2 of the Office Action mailed 10/18/2004:

Although Nakajima '341 appears to teach an evaporator remote from a compressor, this reference appears to lack the claim 2 feature of a condenser remote from a compressor. Accordingly, claim 2 has been cast in independent form incorporating all the limitations of claim 1, to distinguish over Nakajima '341 by specifically claiming a condenser remote from a compressor. In addition, the limitation "remote from" has been changed in claim 2 to read "at a substantial distance from" and in claim 4 to read "at a substantial distance relative to a size of said vehicle" in order to distinguish from references which teach components which are merely separate from each other, but not disposed at a substantial distance from each other relative to the size of the vehicle.

Regarding claim 4, Nakajima '341 does not appear to teach a compressor on a body front. Therefore, Applicant respectfully submits rejection of this claim under 35 U.S.C. § 103 is improper for claimed features lacking.

Claim 5 has been amended to claim that the compressor is disposed adjacent a vehicle bottom-most surface, to distinguish over the truck bed placement of the Grafton '992 reference compressor. Because Grafton '992 teaches a truck bed compressor placement, not a compressor which is disposed adjacent a vehicle bottom-most surface, Applicant respectfully submits claim 5 is now distinguishable from the Grafton '992 reference, and should be allowed.

The Aoki '076, Drucker '330, and Sugiura '602 references all teach air conditioners whose compressors and condensers appear to be in close proximity to each other, not at a substantial distance from each other relative to a size of the vehicle. Thus, Applicant respectfully submits these references lack the instant claimed feature of a compressor at a substantial distance from a condenser, relative to vehicle size.

As was discussed during the 1/11/05 telephone conference between Examiner Ali and Attorney Rooy, the field of air conditioning systems is crowded, and therefore even small improvements are considered significant, and therefore patentable. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejections.

The following remarks are directed to Page 6, Par. 3 – Page 7 Par. 1 of the Office Action mailed 10/18/2004:

Noted.

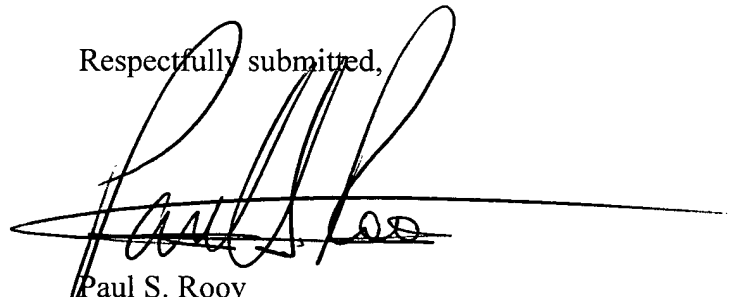
REPLACEMENT DRAWING SHEET

A replacement drawing sheet 2 labeled (Replacement Sheet) containing figures 3 and 4 is herewith submitted, showing evaporator 24 on vehicle body bottom 6.

CONCLUSION

Applicant requests reconsideration and withdrawal of the rejections. Per the 1/11/2005 telephone conference between Examiner Ali and Attorney Rooy, Examiner Ali graciously offered to call Attorney Rooy after reviewing this Amendment and Remarks to resolve any details standing in the way of approval of those claims that are substantially in condition of allowability as a result of the accompanying Amendment.

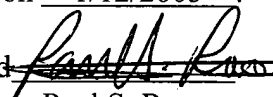
Respectfully submitted,



Paul S. Rooy
Reg. No. 35,338

I hereby certify this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450 on 1/12/2005.

Signed



Paul S. Rooy
Reg. No. 35,338

Date 1/12/2005.